

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

Proposed Rulemakings

■ DOMESTIC WORKERS

The DEPARTMENT OF LABOR proposed amendments to the Part titled Minimum Wage Law (56 IAC 210; 45 Ill Reg 10255) defining various aspects of the law as it applies to domestic workers. The rulemaking adopts the statutory definition of domestic worker established in the Domestic Workers' Bill of Rights Act (persons who provide housekeeping/cleaning services, nanny services, caregiving for elderly persons or persons with disabilities, or other household services) and clarifies that "hours worked" for domestic workers includes all time that the worker is required to be on the employer's premises and is not completely relieved of all work-related duties. Bona fide meal breaks, rest periods, and sleep periods are not included if the worker is completely relieved of all job-related duties and is free to leave the premises,

COVID-19 ACTIONS

Executive Orders of the Governor concerning the COVID-19 public health emergency can be accessed at <https://www2.illinois.gov/government/executive-orders>. Emergency rules adopted by State agencies will be summarized in The Flinn Report as they are published in the *Illinois Register*.

NEXT JCAR MEETING:

Wed. Aug. 18, Rm. C-1, Stratton Bldg., Springfield, 10:30 a.m.

rest/sleep, or engage in other activities during those periods. Employers must keep time and pay records for domestic workers they employ and pay overtime for hours worked in excess of 40 hours per week. The rulemaking also clarifies provisions for shared services (when a domestic worker

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Adopted Rule

HOSPITAL ASSISTANCE

The OFFICE OF THE ATTORNEY GENERAL adopted an amendment to Hospital Financial Assistance under the Fair Patient Billing Act (77 IAC 4500; 45 Ill Reg 3732) effective 7/29/21, updating the Federal Poverty Guidelines (used as a benchmark for determining assistance) to the 2021 figures.

Questions/requests for copies: David F. Buysse, Office of the Attorney General, 100 W. Randolph St., 12th Fl., Chicago IL 60601, 312/814-7236.

ADOPTED RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.
PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.
PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.
■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.
QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.
RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

Proposed Rulemakings

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provides services to two or more employers) and clarifies the circumstances in which an employer may take a credit for meals and lodging provided to a domestic worker. Those affected by this rulemaking include employers of nannies, personal care or companion services, or individual providers of other household services.

Questions/requests for copies/ comments through 9/27/21: Jason Keller, DOL, 524 S. 2nd St., Springfield IL 62701, 217/782-1706, Jason.keller@illinois.gov

■ ECONOMIC DEVELOPMENT

The DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY proposed amendments to the Parts titled Enterprise Zone and High Impact Business Programs (14 IAC 520; 45 Ill Reg 10200), River Edge Redevelopment Zone Program (14 IAC 524; 45 Ill Reg 10217) and Economic Development for a Growing Economy Program (EDGE) (14 IAC 527; 45 Ill Reg 10229), implementing provisions of the Blue Collar Jobs Act (Public Act 101-9) creating a \$20 million (per fiscal year) construction jobs tax credit program administered by DCEO. The proposed rules establish application procedures, eligibility and approval criteria, recordkeeping and other requirements for businesses seeking these tax credits. The tax credit for a qualifying project is equal to 50% of the Illinois income

tax withholdings attributable to the jobs the project creates; the credit increases to 75% if the project is located in an underserved area with high poverty or unemployment rates. Businesses that qualify for tax credits under the Enterprise Zone, River Edge Redevelopment Zone, EDGE or High Impact Business programs are affected.

Questions/requests for copies/ comments on the 3 DCEO rulemakings through 9/27/21: Jolene Clarke, DCEO, 500 E. Monroe St., Springfield IL 62701, jolene.clarke@illinois.gov

STUDENT ASSISTANCE

The ILLINOIS STUDENT ASSISTANCE COMMISSION proposed amendments to Minority Teachers of Illinois (MTI) Scholarship Program (23 IAC 2763; 45 Ill Reg 10269), implementing provisions of PA 101-654 designed to increase access to and awareness of the MTI program (which provides scholarships to minority students enrolled in educator preparation programs, in return for a commitment to teach at a school with a substantial percentage of minority students). The rulemaking increases the maximum annual scholarship of \$5,000 to \$7,500 when fiscal year appropriations for the program are \$2.85 million or more. If appropriated MTI funds are not sufficient to provide scholarships to all qualified students, first priority will be given to students who received an MTI scholarship the previous academic year. Of the remaining

funds, at least 35% (currently, 30%) will be awarded to male students; if ISAC does not receive enough applications from male students to meet that figure, a portion of these funds may be awarded to qualified female applicants. Then, either 10% or 30% of remaining funds (depending on the size of the total appropriation) will be reserved for qualified bilingual minority applicants, with priority given to those who are enrolled in an educator preparation program for bilingual/bicultural education. Any funds remaining after all priority applicants have been served may be awarded to other qualified applicants. If scholarships cannot be provided to all qualified applicants in any of the priority categories, awards within those categories will be based first on financial need, then on the dates that completed applications were received, and finally on whether the applicant is enrolled at or above the junior level. Qualified minority bilingual applicants may fulfill their teaching obligation in a transitional bilingual education program or at a school in which at least 20 English learner students in the same language classifications are enrolled. If the MTI Program does not expend at least 90% of its appropriated funds for 3 consecutive years and ISAC fails to receive enough applications to meet the targets for groups identified for reserve funds, ISAC may use up to 3% of appropriated funds for the next 3 fiscal years to increase awareness of the MTI program and for the recruitment of

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Proposed Rulemakings

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Black male students. Higher education institutions participating in the MTI Program must also host an annual information session about the program for teacher candidates of color and require that scholarship recipients meet with an academic advisor at least once per academic year to facilitate on-time completion of the student's educator preparation program.

Questions/requests for copies/ comments through 9/27/21: Jackie Eckley, ISAC, 500 W. Monroe St., 3rd Floor, Springfield IL 62704, 217/782/5161, jackie.eckley@illinois.gov

CMS REPEALER

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES proposed repeal of the Part titled Electronic Commerce Security Act (14 IAC

105; 45 Ill Reg 10172) because the underlying statute was repealed by PA 102-38. The Part was adopted in 2007 to establish procedures for State agencies and contractors to implement digital signature technology.

Questions/requests for copies/ comments through 9/27/21: Administrative Rules Coordinator, CMS, 720 Stratton Building, Springfield IL 62706, 217/524-7518.

Second Notice

The following rulemaking was moved to Second Notice this week by the agency listed below, commencing the JCAR review period. This rulemaking will be listed in next week's *Illinois Register* and considered at the September 14, 2021 JCAR meeting. Other items not published in the *Register* or The Flinn Report may also be considered. Further comments concerning this rulemaking should be addressed to JCAR using the contact information on page 1.

DEPT OF FINANCIAL AND PROFESSIONAL REGULATION

Hearings Before the Division of Banking and Division of Financial Institutions (38 IAC 100; 45 Ill Reg 6503) proposed 5/21/21

Joint Committee on Administrative Rules

Senator Bill Cunningham, co-chair
Senator John F. Curran
Senator Donald DeWitte
Senator Kimberly Lightford
Senator Tony Muñoz
Senator Sue Rezin

Representative Tom Demmer
Representative Michael Halpin
Representative Frances Ann Hurley
Representative Steven Reick
Representative Curtis Tarver, II
Representative Keith Wheeler, co-chair

Kim Schultz
Executive Director